IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 6TH SEPTEMBER 2007 / 15TH BHADRA 1929

WA.No. 2059 of 2007

AGAINST THE JUDGEMENT/ORDER IN WPC.32822/2005 Dated 12/03/2007
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APPELLANT: PETITIONER

M.A.KUTTAPPAN, AGED 61 YEARS,
S/O.AYYAR, MYALIKKAROTH HOUSE, NEEZHOOR P.O.,
KOTTAYAM DISTRICT.

BY ADV. SRI.M.G.KARTHIKEYAN

RESPONDENTS: RESPONDENTS
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1. STATE OF KERALA REPRESENTED BY
THE SECRETARY TO GOVT., DEPARTMENT OF AGRICULTURE,
GOVT.SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF AGRICULTURE,
THIRUVANANTHAPURAM.

3. THE PRINCIPAL AGRICULTURAL OFFICER,
WAYANAD.

4. THE PRINCIPAL AGRICULTURAL OFFICER,
KOTTAYAM.

BY GOVERNMENT PLEADER SRI.BENNY GERVACIS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 06/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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W.A.No.2059 OF 2007

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Dated this the 6th day of September, 2007

JUDGMENT

Radhakrishnan, J

The learned Single Judge has interfered with Ext.P8 communication sent by the Director of Agriculture to the Accountant General and held that the amount cannot be recovered in terms of Rule 3 Part III KSR. Petitioner had retired from service on 30.6.1999 and Ext.P8 was issued only on 27.12.2005. Petitioner submits that he is entitled to get interest for the belated payment of the amount. This is a matter, he can take up with the 2nd respondent.

With the above direction this writ appeal is disposed of.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

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